

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Friend et al.

Application No.: To Be Assigned;  
Divisional of Application Serial No. 09/303,082  
filed April 30, 1999

Group Art Unit: To Be assigned

Filed: On Even Date Herewith

Examiner: To Be Assigned

For: METHODS OF DETERMINING PROTEIN  
ACTIVITY LEVELS USING GENE  
EXPRESSION PROFILES

Attorney Docket No.: 9301-161

#4/B  
Plunkett  
12/14/01

## FEE TRANSMITTAL SHEET

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The fee required to be filed with the accompanying amendment of even date herewith concerning the above-identified application has been estimated to be \$930.

The claim amendment fee has been estimated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)		SMALL ENTITY			OTHER THAN A SMALL ENTITY		
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR		PRESENT EXTRA		RATE	ADDIT. FEE	OR	RATE	ADDIT. FEE	
TOTAL	25	MINUS	20	=	5	× 9	\$		× 18	\$	90.00
INDEP.	13	MINUS	3	=	10	× 40	\$		× 84	\$	840.00
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						135	\$		270	\$	
						TOTAL	\$		OR TOTAL	\$	930.00

Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150.  
A copy of this sheet is enclosed.

Respectfully submitted,

Date October 12, 2001

Adriane M. Antler 32,605  
Adriane M. Antler (Reg. No.)

PENNIE & EDMONDS LLP  
1155 Avenue of the Americas  
New York, New York 10036-2711  
(212) 790-9090

Enclosure

Express Mail No.: EL 501 639 442 US**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Prior application: Examiner Lundgren, J.Art Unit 1631

Assistant Commissioner for Patents  
 Box PATENT APPLICATION  
 Washington, D.C. 20231

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR § 1.53(b), of pending prior application no. 09/303,082 filed on April 30, 1999.

of Stephen H. Friend and Roland Stoughton  
 (inventor(s) currently of record in prior application)

for METHODS OF DETERMINING PROTEIN ACTIVITY LEVELS USING GENE EXPRESSION PROFILES  
 (title of invention)

1. ☒ The filing fee is calculated below in view of the preliminary amendment made in paragraph 2 below:

**PATENT APPLICATION FEE VALUE**

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	9	-20	0	\$18.00 each	\$ 0.00
Independent	2	-3	0	\$84.00 each	\$ 0.00
Basic Fee					\$ 740.00
Multiple Dependency Fee If Applicable (\$270.00)					\$ 0.00
<b>Total</b>					<b>\$ 740.00</b>
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					- \$ 0.00
<b>Total Filing Fee</b>					<b>\$ 740.00</b>

2. ☒ Cancel claims 1-52 and 60-66 without prejudice.
3. ☒ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

4. ☐ Amend the specification by inserting before the first line the following sentence: This is a division, of application no. , filed .
- 4a. ☐ New formal drawings are enclosed.
- 4b. ☒ Informal drawings are enclosed.
- 5a. ☐ Priority of application no. filed on in is claimed under 35 U.S.C. §119.
- 5b. ☐ The certified copy has been filed in prior application no. , filed .
6. ☒ The prior application is assigned of record to Rosetta Inpharmatics, Inc.
- 7a. ☒ A copy of the Power of Attorney filed in the prior application no. 09/303,082, filed April 30, 1999, is enclosed.
- 7b. ☐ A Power of Attorney is enclosed.
8. ☐ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no., filed on be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. is enclosed.
9. ☐ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. is the same as the content of the computer readable form submitted in application no. .
10. ☒ Additional enclosures or instructions: Preliminary Amendment; Information Disclosure Statement with revised Form PTO-1449 "List of References cited by Applicant" and copies of references AA-EW.

Respectfully submitted,

Date October 12, 2001

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EXPRESS MAIL NO.: EL 501 639 442 US

5 METHODS OF DETERMINING PROTEIN ACTIVITY  
LEVELS USING GENE EXPRESSION PROFILES

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